

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES ROBBIN LEE LEWIS,

Defendant.

CASE NO. CR14-5236BHS

ORDER

This matter comes before the Court on Defendant's unopposed motion to continue the pretrial motions deadline and the trial date. The Court, having considered the unopposed motion and affidavit of defense counsel and the Defendant's speedy trial waiver, makes the following findings of fact and conclusions of law:

1. A continuance of the pretrial motions deadline and the trial date is necessary as Defense counsel is presently scheduled for three criminal jury trials in July and August, as well as to attend the 9th Circuit Judicial Conference in July. In addition to defense counsel's availability, the government has yet to receive the DNA results from the state case associated with this matter, and therefore has yet to provide them to the defense.

2. The defense needs additional time to explore all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation for

1 pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act
2 and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

3 3. Taking into account the exercise of due diligence, a continuance is necessary to allow
4 the defendant the reasonable time for effective preparation his defense, to explore resolution of
5 this case before trial and to substantially ensure continuity of defense counsel. 18 U.S.C. §
6 3161(h)(7)(B)(iv).

7 4. Proceeding to trial absent adequate time for the defense to prepare would result in a
8 miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

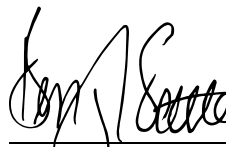
9 5. The ends of justice served by granting this continuance outweigh the best interests of
10 the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B).

11 6. Defendant waived speedy trial through November 30, 2014.

12 NOW, THEREFORE, IT IS HEREBY ORDERED

13 That the trial date is continued from July 29, 2014, to October 14, 2014, at 9:00 a.m.
14 Pretrial Conference is set for October 6, 2014, at 11:00 a.m. Pretrial motions are due by August
15 27, 2014. The resulting period of delay from June 24, 2014, to October 14, 2014, is hereby
16 excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B)

17 Dated this 2nd day of July, 2014.

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20 BENJAMIN H. SETTLE
21 United States District Judge
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